

# COMPLAINT

(for filers who are prisoners without lawyers)

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Richy John Newbecker Jr.

v.

Case Number:

(Full name of defendant(s))

(to be supplied by Clerk of Court)

Kenosha County Jail,

Kenosha County Jail Doctor,

Kenosha County Jail Medical Staff

### A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at  
(State)

Dodge Correctional Institution, P.O. Box 700, Waupun, WI 53983  
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Kenosha County Jail and medical Staff  
(Name)

is (if a person or private corporation) a citizen of Kenosha, Wisconsin

(State, if known)  
and (if a person) resides at 1000 55<sup>th</sup> St., Kenosha, WI 53140  
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Kenosha County Jail - 1000 55<sup>th</sup> St., Kenosha, WI 53140  
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

## B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

In January 2020 I asked for a test to see if I had herpes. Blood  
cultures were taken and the results showed that I tested positive  
for Herpes Simplex A (Oral) and B (Genital). There were  
multiple people present during the moment the doctor (Male,  
older, tall, greyish-white hair and beard, caucasian.) revealed  
to me the results, including Nurse Practitioner Julie, a male  
nurse with glasses (a short trim beard, short hair, overweight),  
another nurse (cannot recall who) and a correctional officer  
names Dahl (male). The doctor reported that I tested  
positive and asked me if I've ever had outbreaks previous  
to the test results. I told him yes, that I've had 2

Simplex B outbreaks, the first of which I went to Kenosha Memorial Hospital for and was prescribed Valtrex, but was told at the pharmacy that my insurance couldn't cover it, so I couldn't get it. I then asked the Kenosha County Jail Doctor to prescribe me Valtrex, but the doctor refused, saying I needed to have an outbreak first. So, for months I went on fearing that I would have an outbreak and be in pain. Then, in the end of May, I believe, I had an outbreak. I waited to see if it would go away on its own. When it did not and had gotten progressively worse, I wrote a request to the Health Services Unit stating that I'm on an outbreak and need to be seen. A couple of days later, Correctional officer Craig (first name) escorted me to Health Services where I was examined by nurse Amber Aguilar. She asked me if it hurt: I answered "yes". How long had I had it: "a few days". She noted there were open blister wounds on the side of my penis with a crusty, scab-like outer layer. I requested to be <sup>prescribed</sup> ~~played out~~ Valtrex, to which she replied she would talk with the doctor. But instead of Valtrex (an antiviral) I was prescribed Hydrocortisone cream (for rashes). I refused, because hydrocortisone cream does not treat viral infections. I filed a <sup>Complaint - 3</sup> ~~complaint~~, but did not receive a response before being remanded to D.O.C. custody. I am now taking Valtrex.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$\_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

If I win my lawsuit, I would like the court to include an order telling the defendants to give proper medical care to all inmates equally, and to award me an amount of money reasonable enough to cover my pain and suffering.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 5<sup>th</sup> day of August 2020.

Respectfully Submitted,

Miney M. [Signature]  
Signature of Plaintiff

496418  
Plaintiff's Prisoner ID Number

Dodge Correctional Institution  
P.O. Box 700 - Waupun, WI 53963  
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE**

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.